

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: ROBERT D. DRESSLER

Serial No.: 10/665,775

Filed: September 17, 2003

For: MOUNTING BRACKET AND SNOW GUARD FOR RAISED SEAM ROOF

Commissioner for Patents

Mail Stop MISSING PARTS

P. O. Box 1450

Alexandria, VA 22313-1450

SIR:

DECLARATION OF LARRY W. MILLER

I, Larry W. Miller, hereby declare that:

1. I am an attorney registered to practice before the U. S. Patent and Trademark Office, Reg. No. 29,417.
2. I represent the assignee of the above-captioned patent application, Amerimax Home Products, Inc., and the inventor, Robert D. Dressler, in the matter of the above-captioned patent application.
3. After preparation of the patent application for presentation to the inventor, I prepared the Declaration form for execution by the inventor after his review of the draft application. As per my normal practice, I prepared duplicate Declarations for the inventor(s)'s execution.

PATENT

4. I prepared for filing four design applications and two utility applications with Robert D. Dressler as the inventor and Amerimax Home Products, Inc. as the assignee. All six of these patent applications were filed by Express Mail procedure on September 17, 2003. In each of these applications, I prepared duplicate respective Declarations for execution by the inventor, who signed each duplicate Declaration I provided to him.

5. It is my normal practice to attach one of the originally signed, duplicate Declarations to the back of the specification before mailing to the Patent Office. The other original duplicate Declaration is retained in the file.

6. I have checked each of these six aforementioned patent application files and have found immediately following the file copy of the patent application one of the duplicate copies of the corresponding Declaration, as would be expected if my normal practice had been followed. The above-captioned patent application is one of these six patent applications.

7. Accordingly, I have no doubt that a Declaration was attached to the back of the specification for the above-captioned patent application before being sent to the Patent Office by Express Mail on September 17, 2003.

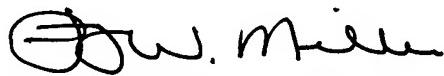
8. The Declaration enclosed with the Response to Notice of Missing Parts is a photocopy of the originally executed file copy of the Declaration submitted with the corresponding specification in the above-captioned patent application on September 17, 2003.

PATENT

9. Because the specification submitted on September 17, 2003, to the Patent Office consisted of 29 pages, with the executed Declaration being the 30th page, and because the specification and Declaration were attached by a regular staple, I suspect that the Declaration may have become dislodged from the back of the specification during the handling thereof by the personnel at the Patent Office; thus, the resulting issuance of the Notice of Missing Parts. The attached copy of the original Declaration is submitted herewith to substitute for the missing Declaration.
10. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

Date: December 22, 2003



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